

## REMARKS

The Application has been carefully reviewed in light of the Office Action dated February 14, 2005. Claims 1, 2, 5, 6, 9, 10, 13 to 18 and 19 to 21 are in the application, of which Claims 1, 5, 9 and 19 are independent. Claims 1, 2, 5, 6, 9, 10, 13 to 18 and 19 to 21 are being amended, and Claims 19 to 21 are being added. Reconsideration and further examination are respectfully requested.

Claims 1, 2, 5, 6, 9, 10 and 13 to 19 are rejected under 35 U.S.C. § 112, second paragraph. The amendments made to Claims 1, 5 and 9 are believed to obviate the rejection. Reconsideration and withdrawal of the 35 U.S.C. § 112, second paragraph rejection are therefore respectfully requested.

By the Office Action, Claims 1, 2, 5, 6, 9, 10 and 13 to 19 are rejected under 35 U.S.C. §102(e) over U.S. Patent 6,122,403 (Rhoads). Reconsideration and withdrawal of the rejection are respectfully requested.

The present invention concerns an image capture device, which is configured to capture an image, generate specific information relating to image data of the captured image, and to selectably embed the specific information in image data, using a watermarking technique. According to an aspect of the invention, the image data and the specific information related to the image data are recorded on a recording medium, reproduced from the recording medium, and the reproduced specific information is selectably embedded in the reproduced image data.

By virtue of this arrangement, it is possible for an image capture device to capture image data, generate information that can be embedded into image data of the captured image, and to embed information as a watermark in image data based on a user's

selection.

Turning to the specific language of the claims, Claim 1 defines an image capture device comprising an image capture unit, an information generation unit, a recording unit, a reproducing unit, and an embedding unit. The image capture unit captures an image, and the information generation unit generates specific information relating to image data of the captured image. The recording unit records the image data and the specific information related to the image data on a recording medium. The reproducing reproduces the image data and the specific information from the recording medium, and the embedding unit selectively embeds the specific information reproduced from the recording medium into the image data reproduced from the recording medium using a digital watermarking technique based on a user selection. When a first process is selected by the user, the embedding unit embeds the specific information into the image data, and when the second process is selected by the user, the embedding unit avoids embedding the specific information into the image data.

The applied art, namely Rhoads, is not seen to teach or to suggest an image capture device with the above-identified features, particularly as regards an image capture device: 1) capturing an image, 2) generating specific information relating to image data of the captured image, 3) recording the image data and the specific information on a recording medium, 4) reproducing the specific information and the image data from the recording medium, and 5) selectively embedding the specific information reproduced from the recording medium into the image data reproduced from the recording medium.

More particularly, Rhoads is seen to describe capturing an image using a scanner, which outputs the image data to a computer, where it is displayed in a window

generated by software running on the computer. A user then accesses the website of a watermarking vendor, i.e., MarcCentre, which creates a user identification, i.e., a Creator ID, based on information input to the website by the user, and which stores the Creator ID in a central repository, i.e., MarcCentre Locator Service. (See Rhoads, Figures 43 to 46, col. 71, lines 23 to 36, col. 72, lines 44 to 49, and col. 73, lines 8 to 15)

Rhoads is therefore seen to describe a web service generating information that is to be embedded in the image data and is not seen to teach or to suggest an image capture device: 1) capturing an image, 2) generating specific information relating to image data of the captured image, 3) recording the image data and the specific information on a recording medium, 4) reproducing the specific information and the image data from the recording medium, and 5) selectively embedding the specific information reproduced from the recording medium into the image data reproduced from the recording medium.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claims 5 and 9 are believed to be in condition for allowance for at least the same reasons.

New Claim 19 defines an image capture device comprising an image capture unit, an information generation unit and an embedding unit. The image capture unit of the image capture device captures an image, and the information generation unit generates specific information relating to image data of the captured image. When a first process is selected by a user, the embedding unit embeds the specific information generated in the image capture device into the image data using a digital watermarking technique. When a second process is selected by the user, the embedding unit avoids embedding the specific information into the image data.

The applied art, namely Rhoads, is not seen to teach or to suggest an image capture device with the above-identified features, particularly as regards an image capture device comprising an image capture unit, an information generation unit and an embedding unit, wherein selection of a first process by a user causes the embedding unit to embed into image data of an image captured by the image capture unit specific information related to the image data and generated by the information generation unit, and wherein selection of a second process by the user causes the embedding unit to avoid embedding the specific information into the image data.

More particularly, as discussed above, the scanner used in Rhoads captures an image, and then transfers the image to a computer. The computer then displays the image, and allows the user to access a website of a watermarking vendor, i.e., MarcCentre, which creates a user identification, i.e., a Creator ID, based on information input to the website by the user, and which stores the Creator ID in a central repository, i.e., MarcCentre Locator Service. (See Rhoads, Figures 43 to 46, col. 71, lines 23 to 36, col. 72, lines 44 to 49, and col. 73, lines 8 to 15)

The scanner in Rhoads is not seen to be the same as an image capture device which comprises an image capture unit, an information generation unit and an embedding unit, wherein selection of a first process by a user causes the embedding unit to embed into image data of an image captured by the image capture unit specific information related to the image data and generated by the information generation unit, and wherein selection of a second process by the user causes the embedding unit to avoid embedding the specific information into the image data.. Rhoads is not seen to show an image capture device, as recited in Claim 19.


Therefore, for at least the foregoing reasons, Claim 19 is believed to be in condition for allowance.

The remaining claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

  
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